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AZ CORP COMMISSION CH-MILLER PROPOSED AMENDMENT #1
DOCUMENT CONTROL

TIME/DATE PREPARED: 1:00 pm/March 30, 2006

COMPANY: **Qwest Corporation** AGENDA ITEM NO. <u>U-12</u>

DOCKET NO.: <u>T-01051B-05-0628</u> OPEN MEETING DATE: <u>April 4 and 5, 2005</u>

Page 3, Line 16, INSERT New Finding of Fact:

"12. The Commission believes technological innovations and "convergence" in telecom blur distinctions between modes of telephony. Further, the bundling of services of services has the potential to create confusion for consumers as to their rights and remedies. The Commission wishes to establish a framework to afford Arizona residential consumers the opportunity to arbitrate claims and/or disputes with respect to billing and unauthorized charges for all modes of telecommunications services."

Page 4, Between Lines 3 and 4, INSERT New Ordering Paragraphs:

"IT IS FURTHER ORDERED that **all** Arizona residential consumers of telecommunications services should have the opportunity to arbitrate disputes over billing and unauthorized charges for all modes of telecommunications services before the Commission. Qwest consents to participate in a binding arbitration program administrated by the Commission (the "Arbitration Program"). The Arbitration Program will apply to all Arizona residential customers of Qwest and/or its affiliates that offer or bundle telecommunications services, including but not limited to wireline, wireless and VoIP telephony.

IT IS FURTHER ORDERED that Qwest's acceptance of the Commission's approving the 811 Service constitutes Qwest's agreement with and consent to the Commission's jurisdiction with respect to the Arbitration Program.

IT IS FURTHER ORDERED that the Arbitration Program shall be administrated within the Consumer Services Section of the Utilities Division, and shall embrace Arizona residential customers relating solely to billing and unauthorized charges for all modes of telecommunication services. The Arbitration Program expressly includes wireline, wireless and/or VoIP services offered or bundled by Qwest and/or its affiliates.

IT IS FURTHER ORDERED that on deciding a dispute between Qwest and/or its affiliates and any of its customer(s) through the Arbitration Program established by this Decision, the Commission shall forego imposing any monetary sanction, except restitution in any form, including billing credits, against any participant in the Arbitration Program.

IT IS FURTHER ORDERED that nothing in this Decision shall prevent the Commission from issuing an Order to Show Cause.

IT IS FURTHER ORDERED that nothing in this Decision shall compel a customer to participate in the binding Arbitration Program or foreclose a customer from pursuing an action in a court of law or equity."

Make all conforming changes as necessary